

EDWARD W. HARTMAN,)
)
Plaintiff,) Civil Action No.: 5:13cv00109
)
v.)
)
CAROLYN W. COLVIN,) By: Elizabeth K. Dillon
Commissioner of Social Security,) United States District Judge
)
Defendant.)

This matter was referred to the Honorable Joel C. Hoppe, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The magistrate judge filed a report and recommendation on January 15, 2015, recommending that the plaintiff's motion for default judgment be denied, that the Commissioner's motion for summary judgment be denied, that the Commissioner's final decision be reversed, and that this case be remanded to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings. In particular, the magistrate judge recommend remand "to allow the Commissioner the opportunity to properly assess Hartman's RFC and determine the impact this proper RFC has on his ability to perform his past work and, if necessary, other work in the economy." Dkt. No. 29 at 15.

1. The January 15, 2015 report and recommendation (Dkt. No. 29) is **ADOPTED** in its entirety;

2. The plaintiff's motion for default judgment (Dkt. No. 9) is **DENIED**.
3. The Commissioner's motion for summary judgment (Dkt. No. 23) is **DENIED**;
4. The Commissioner's decision is **REVERSED** and this case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the report and recommendation; and
5. This matter is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this Order to all counsel of record.

Entered: March 2, 2015

Elizabeth K. Dillen
United States District Judge